

REMARKS

Claims 1 - 20 remain active in this application. Claim 1 has been amended to improve antecedent language correspondence and consistency. No new matter has been introduced into the application.

The Examiner has again asserted that Mimi Nguyen is missing as an inventor in this application and that the inventorship of this application differs from that of the Provisional Patent Application 60/115,010 (sic - 60/155,010), the priority of which is claimed, notwithstanding previous arguments and substantial evidence in the record to the contrary, including an article entitled "Exploiting the Collaborative Engineering Environment as a Critical Resource Multiplier", cited by the Examiner in paper No. 2, in which the authors are listed as Kenneth N. Myers (a joint inventor in this application) and Quynh Anh (Mimi) Nguyen. It has been previously been pointed out that Quynh Anh Nguyen is, in fact, a joint inventor in the present application and is the same person listed as Mimi Nguyen among the inventors of the provisional application, consistent with the name listed in the article cited by the Examiner.

Further in response to this repeated assertion, a declaration of Jennie D. Beckley, a joint inventor of both the provisional application and the present application is concurrently filed herewith. This declaration clearly and unequivocally states that Mimi Nguyen and Quynh Anh Nguyen are one and the same person and establishes that the inventorship of provisional application 60/155,010 and the present application are, in fact, the same. (The declaration also establishes that Quynh Anh (Mimi) Nguyen cannot presently be located to supply such information herself.) Accordingly, the Examiner is respectfully requested to withdraw the assertion that the inventorship differs

between the provisional application and the present application and to accord the priority of the provisional application to the present application to which it is entitled under 35 U.S.C. §119(e).

Claims 3 and 4 have been rejected under 35 U.S.C. §112, first paragraph, as based on a non-enabling disclosure, and under 35 U.S.C. §112, second paragraph, as being indefinite. These grounds of rejection are respectfully traversed.

The Examiner criticizes the language "intangible or abstract" in the statement of both grounds of rejection. In response, the Examiner's attention is respectfully called to page 17, lines 25 - 27. The words "intangible" and "abstract" are well accepted and well understood in the English language and this passage of page 17 provides examples of "a process description defining and operational activity or a set of data related to software design" or the types of parts or components to which this language refers. In the context of dependent claims 3 and 4, the criticized language appears in a list of types of components or parts objects which can be represented in accordance with the invention. Therefore, there can be no question that one skilled in the art would be enabled to represent parts or components such as "a process description defining and operational activity or a set of data related to software design" in the same manner as hardware, electrical and software components, also listed in claims 3 and 4 and which the Examiner does not question. Therefore, it is respectfully submitted that the original disclosure is fully enabling of the practice of the invention as defined by the criticized language and that the criticized language does not engender any ambiguity or vagueness and that the scope of claims 3 and 4 can be readily determined. Accordingly, reconsideration and withdrawal of these grounds of rejection are respectfully requested.

Claims 1 - 20 have been provisionally rejected for obviousness-type double patenting over claims 1 - 21 of copending application 09/631,694. The clarification made by the Examiner in not referring to 35 U.S.C. §101 is noted with appreciation. This ground of rejection is again respectfully traversed for the reasons of record and the further remarks below.

Specifically, it was pointed out in the previous response that application 09/631,694 is directed to a collaborative engineering environment and does not claim the catalog enhancement of that environment disclosed and claimed in this application. In particular, independent claim 1 recites (emphasis added):

"A computer implemented product catalog for use in a web-centric collaborative engineering environment (CEE)..."

and

"a plurality of part objects forming a product catalog, the part objects being defined by the associative object model and stored in the ODBMS, wherein each part object has intrinsic characteristics corresponding to a plurality of default values, the product catalog providing an application independent means for supporting engineering tools through intelligent interfaces;

"means for generating part references, where a part reference refers to a corresponding part object in the product catalog, and wherein the part reference has characteristics customized for a project that override or extend the intrinsic characteristics of its corresponding part object; and

"means for linking members of the enterprise with part objects and customized

part references via a collaborative engineering environment (CEE), the CEE having a framework for collaboration which provides access control, security, search mechanisms, concurrency control, versioning, information structuring, information mapping and exchange, wherein the information available to each member is information necessary for the member to complete role and team based tasks, and wherein the linking means comprises a plurality of tools, each tool communicating information with the ODBMS."

Similarly, claim 11 recites (emphasis added):

"A method for customizing a product catalog for use by a project in a collaborative engineering environment (CEE)"

and

"identifying elements (parts) existing in a enterprise-wide product catalog;

"customizing the existing parts for the project, by referring to default characteristics of the existing parts and when desired specifying overriding or extending part characteristics unique to the project;

"if necessary to fully implement the project product model, providing new parts for the product catalog; and

"integrating the project product model with domain-specific tools and application used by members of the enterprise, thereby enabling collaboration among enterprise members who have immediate access to information stored in the ODBMS by other members, wherein each member performs domain specific tasks using customized tools and applications and stores results of their

performed tasks in the ODBMS, thereby allowing access of their information by other members of the enterprise."

Claim 12, depending from claim 11, also contains further recitations similar to the above-cited recitations of claim 1.

It is respectfully pointed out that the Examiner's statement of this rejection refers only to the collaborative engineering environment and is completely silent in regard to the catalog enhancement of the present invention. Therefore, it is clear that the Examiner has not properly considered the claimed subject matter in comparison with the claimed subject matter of 09/631,694 and has not made a *prima facie* demonstration of the propriety of this ground of rejection. It is respectfully submitted that the Examiner's initial and basic burden in this regard is not reduced by reason of the rejection being provisional. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 1 - 20 have again been rejected under 35 U.S.C. §103 as being unpatentable over Hara et al. in view of McQuay. This ground of rejection is again respectfully traversed for the reasons of record and the further remarks below.

It is respectfully submitted that the Examiner has not properly considered the catalog enhancement aspect of the invention, as claimed, in much the same manner that was discussed above in regard to the provisional rejection for double patenting. For example, the sole reference to a "catalog" in the discussion of the rejection of claims 1 and 12 refers to page 256, right column, lines 2 - 6 and page 256, three bullets and page 259, left column, third paragraph of McQuay, respectively; which text is devoid of any reference to anything remotely resembling a catalog, as claimed.

There is no reference to a catalog in the discussion of the rejection in regard to claims 11.

The catalog enhancement of the collaborative engineering environment, as recited in the claims, provides not only access to basic parts information to all members of the collaborative engineering environment but provides for the collection of additional information and modified parts information and timely distribution of such current information through tools such that the collaborative engineering environment also distributes multi-disciplinary expertise to members; thus leveraging general enterprise information to the user community, as discussed throughout the application and summarized on pages 41 and 42.

Hara et al. and McQuay do not teach or suggest any such enhancement of a collaborative engineering environment and do not provide evidence of a level of ordinary skill in the art which would support a conclusion of obviousness in regard to such subject matter since they do not even teach or suggest the desirability of such a function, much less lead to an expectation of success in achieving that function in the manner recited in the claims.

Therefore, it is respectfully submitted that the Examiner has not made a *prima facie* demonstration of obviousness in regard to the subject matter of any claim. Accordingly, the asserted ground of rejection is clearly untenable and reconsideration and withdrawal of the same are respectfully requested.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon

reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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